

## AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method of preventing or treating metastasis of cancer in a subject at a site distal to the site of surgical resection of a tumor in the subject, said method comprising the steps of:

surgically resecting a tumor from the subject; and

administering an attenuated, replication-competent, oncolytic herpes virus to the site of surgical resection.

2. (Original) The method of claim 1, wherein said cancer is present at the site of surgical resection.

3. (Original) The method of claim 1, wherein said cancer has metastasized from the site of surgical resection.

4. (Original) The method of claim 3, wherein said cancer is present in the lymphatic system of said subject.

5. (Original) The method of claim 4, wherein said cancer is present in a lymph node of said subject.

6. (Original) The method of claim 1, wherein said herpes virus is a herpes simplex-1-derived virus.

7. (Original) The method of claim 6, wherein said herpes virus is NV1023.
8. (Original) The method of claim 1, wherein said subject is a human.
9. (Original) The method of claim 1, wherein said herpes virus is administered to said subject by injection.
10. (Original) The method of claim 1, wherein said herpes virus comprises a heterologous nucleic acid molecule encoding a therapeutic product.
11. (Original) The method of 10, wherein said therapeutic product is selected from the group consisting of cytotoxins, immunomodulatory proteins, tumor antigens, antisense nucleic acid molecules, and ribozymes.
12. (Original) The method of claim 1, further comprising administering a second anticancer treatment to said subject.
13. (Original) The method of claim 12, wherein said second anticancer treatment is selected from the group consisting of chemotherapy, biological therapy, radiation therapy, and gene therapy.

14. (Previously Presented) The method of claim 1, further comprising injecting an attenuated, replication-competent, oncolytic herpes virus into said tumor of said subject prior to excision.

15-21. (Canceled).

22. (Original) The method of claim 14, further comprising administering a second anticancer treatment to said subject.

23. (Original) The method of claim 22, wherein said second anticancer treatment is selected from the group consisting of chemotherapy, biological therapy, radiation therapy, and gene therapy.

24-27. (Canceled).